

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

BRANDON CALLIER

Plaintiff,

V.

UNITED ALLIANCE GROUP, INC.,
d/b/a Rejuvenate Financial Solutions, BSO
GROUP, LLC, d/b/a Synergy Student
Services, 888 STRATEGIES, INC., d/b/a
Synergy Student Services, WILLIAM L.
CHUNG, TABITHA LYNN LOGUE
CHUNG, and JACQUELINE DINH,

Defendants.

THE UNIVERSITY OF CHICAGO

EP-22-CV-00003-DCG

ORDER

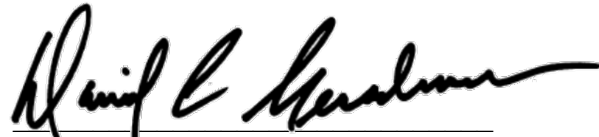
Defendant United Alliance Group, Inc. moves under Federal Rule of Civil Procedure 36(b) to withdraw or amend its deemed admissions. Mot., ECF No. 45. Plaintiff Brandon Callier did not respond to Defendant’s Motion.¹ The Court will thus **GRANT** Defendant’s “Motion to Withdraw and Amend Deemed Admissions” (ECF No. 45) as **UNOPPOSED**. W.D. TEX. L.R. CV-7(d)(2) (“If there is no response filed within the time period prescribed by this rule, the court may grant the motion as unopposed.”). Accordingly, the Court also **DEEMS** Defendant’s October 14, 2022 responses to Plaintiff’s request for admissions as timely served.

Also pending is Plaintiff's Motion for Summary Judgment. ECF No. 43. Plaintiff's Motion for Summary Judgment relies entirely on the premise that there is no genuine dispute of fact (material or otherwise) because all facts have been deemed admitted. *See generally id.* Now

¹ Defendant filed its Motion on November 8, 2022. *See generally* Mot. Under our Local Rules, “[a] response to a discovery or case management motion shall be filed not later than 7 days after the filing of the motion.” W.D. TEX. L.R. CV-7(d)(2). Plaintiff’s deadline to respond was, therefore, on November 15, 2022. *See* FED. R. CIV. P. 6(a)(1).

that the Court has ruled that Defendant has not admitted to those facts, the Court **DENIES** Plaintiff Brandon Callier's "Motion for Summary Judgment" (ECF No. 43) **WITHOUT PREJUDICE TO REFILING**. Consequently, the Court **VACATES** its order requiring Defendant to respond to Plaintiff's Motion for Summary Judgment by December 14, 2022. Order, ECF No. 44.

So ORDERED and SIGNED this 17th day of November 2022.



DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE